

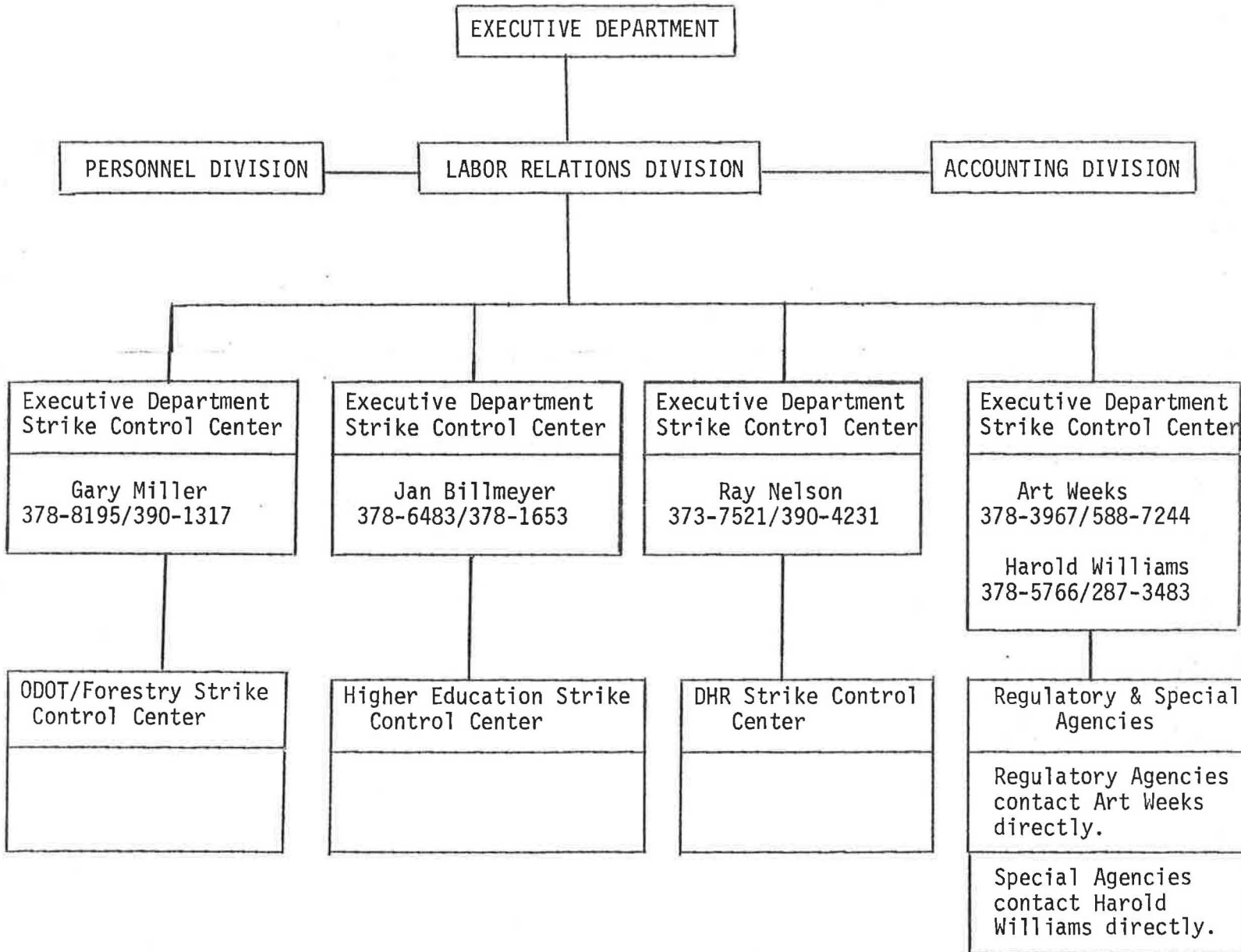
AUG 08 1983  
Governor Atiyeh

EXECUTIVE DEPARTMENT

STRIKE CONTROL PLAN

**DRAFT**  
**FOR INTERNAL USE ONLY**

EXECUTIVE DEPARTMENT STRIKE CONTROL CENTER  
 Labor Relations Division  
 155 Cottage St. NE  
 Salem, Oregon 97310



EXECUTIVE DEPARTMENT STRIKE CONTROL CENTER

The Executive Department Strike Control Center will be housed in The Executive Building, 155 Cottage St. N.E., Salem.

STRIKE CONTROL COORDINATORS

There will be a Labor Relations Manager acting as a strike control coordinator for each OPEU coalition at the following numbers:

	<u>Name</u>	<u>Office Phone</u>	<u>Residence Phone</u>
ODOT/Forestry	Gary Miller	378-8195	390-1317
Higher Education	Jan Billmeyer	378-6483	378-1653
DHR Agencies & Institutions	Ray Nelson	373-7523	390-4231
Special and Regulatory Agencies	Art Weeks	378-3967	588-7244
	Harold Williams	378-5766	287-3483

These coordinators will generally assist you in all areas of concern during the strike.

- Counsel agencies on how to handle technical labor relations and personnel issues.
- Counsel agencies regarding any violence or threats of violence.
- Receive incident reports and staff reports.
- Obtains counsel from Attorney General regarding legal issues.
- Any other service the agency requests regarding strike or picketing activity.

## COMMUNICATIONS

Agencies should refrain from communications with media and employes. All communications will be coordinated through the Executive Department Strike Control Center. This includes:

Media relations (press, radio, television)

Mailings to employes - Labor Relations Division

Information to the public - Strike Center Phone # 378-3141

Information to management - Labor Relations Division.

Coalition Strike Control Centers notify Executive Department strike control coordinators by phone of:

1. Agency Staffing Report by 10:00 A.M. each day.
2. Any incident by phone immediately, and on an Incident Report.
3. Any additional information relevant to strike.

All "legal questions" and proceedings will be coordinated through the Executive Department Strike Control Center. Agencies with questions should call their coalition Strike Control Coordinator. The question will be researched by the Labor Relations Division and Department of Justice and answered.

AGENCY STAFFING REPORT

AGENCY \_\_\_\_\_ LOCATION \_\_\_\_\_

DATE OF THIS REPORT \_\_\_\_\_ TIME COMPLETED \_\_\_\_\_

REPORT COMPLETED BY \_\_\_\_\_ TITLE \_\_\_\_\_

PHONE # \_\_\_\_\_

Total number of OPEU bargaining unit employes scheduled to be at work today.  
(Do not include employes on approved leave, or employes hired as replacements  
for strikers.) \_\_\_\_\_

Total number of OPEU bargaining unit employes at work today. \_\_\_\_\_

Number of employes hired as replacements for strikers. \_\_\_\_\_

5746C



## PERSONNEL

Executive Department, Personnel Division will be responsible for centralized advertisements for employes. Personnel Division will run screening and applicant control centers in metropolitan areas. After notifying Executive Department Strike Control Center, Personnel Division, an agency may hire replacements. Contact the Personnel Division for hiring services. Center Phone # 373-1847, or any number in the Personnel Division.

Personnel Division will run a central staffing service. Agencies which have specific staffing needs may request a certified list, call for lists which will be established specifically for the strike or for names of state employes from non-affected agencies who are willing to work in affected agencies.

## ACCOUNTING DIVISION

The Executive Department Accounting Division will provide assistance, counsel and guidance to agencies for payroll problems relating to joint payroll, and/or accounting problems relating to the Executive Department Accounting System. The Accounting Division will also assist in voucher preparation so warrants may be written in order to make payments to vendors as required.

Accounting Division      Neal Fisher and Wendell Fultz      Phone # 378-3156

## BENEFIT STATUS DURING STRIKE

The purpose of this section is to advise the management of state agencies about various employe benefits pertaining to bargaining unit members who choose to participate in a lawful strike.

### A. Status of Striking Employes

Bargaining unit employes who lawfully exercise their legal right to strike shall be considered on strike leave without pay.

### B. Vacation Leave

1. At the time a union gives ten (10) days notice of intent to strike, all vacation leaves may be cancelled by written notice to the affected employes. Any such notices would be sent regardless of whether the employe is already on leave.
2. If a striker is on strike 15 days or less in a calendar month, the striker will be treated as if on leave without pay and will earn vacation credit for the month. If a striker is on strike 16 days or more in a calendar month, the striker will earn vacation credit on a pro rata basis.



3. Employees who have accumulated a maximum of 250 hours of vacation with pay may continue to earn vacation credit without loss, to the first of the month following the end of the strike.
4. Employees who resign or are otherwise terminated during the strike will receive unused accrued vacation pay following usual procedures.
5. Time lost by strikers will not count in computation of service credit or vacation accrual rate regardless of the length of the strike.

C. Sick Leave

1. If a bargaining unit member participates in a legal strike for 15 days or fewer in a calendar month, the employee will accrue 8 hours of sick leave for that month.
2. Strikers will not be granted sick leave with pay for illnesses arising during the course of the strike.
3. Non-striking bargaining unit members who become ill during the strike may be allowed use of paid sick leave. Management may request a physician's certification to verify illness.

D. Military Leave

The normal rules concerning paid and unpaid leave of absence for military duty will be unaffected by the strike.

E. Compensatory Time

1. All compensatory paid leaves of absence may be cancelled during the course of the strike.
2. No compensatory time paid leave will be granted to strikers during the strike.

F. Personal Leave Day

Personal leave day is not available to a striker during the time of the strike.

G. Holidays

A striker will not receive pay for holidays which fall during the course of a strike.

H. Insurance

Premiums for medical-dental insurance are paid one month in advance. If the strike lasts beyond the end of the month for which premiums have been paid, strikers may self-pay the total cost of such premiums to the Bargaining Units Benefit Board, at P.O. Box 12159, Salem, Oregon 97309, by making such payment prior to the first of the following month. Strikers who have insurances through the State Employees Benefits Board may continue premium payments by mailing the total premium to SEBB at 155 Cottage St. N.E., Salem, Oregon 97310.

I. Union Dues Deductions

Union dues will continue to be deducted from the salary of a bargaining unit employe receiving salary payments during the course of the strike. An employe may voluntarily cancel authorization for dues deductions by submitting a request to the agency payroll office, in writing, any time during a strike.

J. Fair Share Payments

No deductions will be made for payment in lieu of dues under former fair share agreements during the course of a strike.

K. Distribution of Paychecks

Distribute to all who are working on payday. Paychecks for employes on strike should be made available to strikers at the normal place of distribution, or another place designated by the agency.

L. Pay Advances

No striker may receive a pay advance.

M. Service Credits

Strikers will earn service credits for the purpose of completion of trial service, annual salary reviews, promotion, etc., if participation in the

strike is 15 days or less during a calendar month. A striker will earn service credit on a pro rata basis when participation in the strike is 16 days or more in a calendar month.

N. Unemployment Compensation

1. Strikers are not eligible for unemployment compensation benefits.
2. If an agency receives a notice of claim filed it should be protested.

O. Workers' Compensation

1. Strikers are not eligible for Workers' Compensation benefits for injuries that occur during strike activity.
2. A non-striking employe who suffers injury going through the picket line or otherwise on the employer's property is eligible for Workers' Compensation benefits.

P. Trial Service Period

The trial service periods will be extended if an employe participates in a strike for more than 15 days in a calendar month.

Q. Picket Line Activity

1. Peaceful, lawful picketing may not result in the discipline of any striker or any discrimination because of the exercise of this right.

2. Employees guilty of unlawful strikes or picket line violence will be appropriately disciplined.
- R. The following categories of employees do not have the right to strike and must cross a picket line to report to work:
1. Temporary employees,
  2. Members of other unions not engaged in a lawful strike
  3. Unrepresented employees.
  4. Unclassified employees
  5. Exempt employees.
  6. Management Service Employees.
  7. Executive Service Employees.

#### STRIKE ACTIVITIES

A. Picketing

Bargaining unit members may lawfully picket with signs, or distribute hand bills outside of buildings on public sidewalks. However, any such activity that impedes access to parking lots or buildings is illegal.

B. Mass Picketing and Violence

Neither "mass picketing" nor violence while picketing is permitted. Employees may legitimately congregate or march outside public buildings on

public sidewalks, but not in such numbers, or at such places, or during such times as to interfere with the normal flow of persons or vehicular traffic into and from public buildings. Acts of violence will not be tolerated. Employees who are discovered engaging in unlawful activity will be immediately subject to disciplinary action up to and including termination.

C. Illegal Activities

If, during a strike or picketing, there appears to be illegal activity:

- attempt to identify all persons involved
- verify the seriousness of the illegal activity
- take pictures if possible.

If the situation is an emergency, call police or fire department immediately.

If the situation is not an emergency, call your Coalition or Executive Department Strike Control Center.

Promptly complete an Incident Report and send it to the Executive Department Strike Control Center.

If an employee is involved in illegal activity, the extent of discipline will be determined later.

AGENCIES SHOULD CONSIDER THE FOLLOWING AS APPROPRIATE IN THEIR STRIKE CONTINGENCY PLANNING:

1. Security for office buildings, equipment, computer centers, vehicles, and most importantly employees who choose to cross the picket line.
2. The return, to the agency, of all state property for employees participating in the strike, i.e., automobiles, all building and file keys, and any other state-owned equipment assigned to employees.
3. Prepare alternate plans for pick up and delivery of agency supplies and mail
  - General office supplies
  - Food supplies for institutions
  - Medical supplies for institutions
  - Prepare a list of non-union delivery services in your immediate area.
4. Prepare alternate plans for garbage disposal.
5. Separate gates for services, i.e., deliveries of supplies and subcontractors.
6. Provide training for strike replacements.
7. Prioritize agency work based on reduced estimated workforce. Identify the jobs that are critical to agency operation.
8. Be sure supervisors have emergency service phone numbers, i.e., police, fire, local phone company, Coalition Strike Control Center, data processing word processing and other equipment maintenance and repair.
9. Make initial determination for "legal picketing" areas per the Executive Department Strike Plan.